

Serial No. 09/672,181

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Page 7 of 7

**Section IV:
AMENDMENT UNDER 37 CFR §1.121
REMARKS**

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Request for Entry of Amendment after Final Action

Title 37 C.F.R. § 1.116 provides:

Amendments after final action or appeal.

...

(b) After a final rejection or other final action (§ 1.113) in an application or in an ex parte reexamination filed under § 1.510, or an action closing prosecution (§ 1.949) in an inter partes reexamination filed under § 1.913, amendments may be made canceling claims or complying with any requirement of form expressly set forth in a previous Office action. Amendments presenting rejected claims in better form for consideration on appeal may be admitted. ...

Additionally, MPEP 714.12 states:

... Any amendment that will place the application either in condition for allowance or in better form for appeal may be entered. ...

The amendment presented herein adopts changes to the claims which do not touch on the merits of the case, and place the claims in condition for allowance as indicated by the Examiner in the Final Office Action for the following reason(s):

- (a) Examiner has indicated that Claims 10 - 12 and 22 - 24 are allowable; and
- (b) Examiner has made rejections of Claims 1 - 9, 13 - 21 and 25 - 31 final and has not indicated any allowable subject matter defined by these claims.

As such, Claims 1 - 9, 13 - 21 and 25 - 31 have been canceled by the present amendment. Applicant requests entry of the amendment, and allowance of the remaining claims.

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